

REMARKS

Claims 1-6, 8, 9, 18-22, 24, 25, 33, and 35-40 are pending in the present application. Claims 36-38 are amended to correct dependency. Reconsideration of the claims is respectfully requested.

I. 35 U.S.C. § 102, Anticipation

The Office Action rejects claims 1-6, 8-9, 18-22, 24-25, 33, and 35-40 under 35 U.S.C. § 102 as being anticipated by *Reichmeyer et al.* (U.S. Patent No. 6,286,038). This rejection is respectfully traversed.

Reichmeyer teaches a method and apparatus for remotely configuring a network device. Configuration information is generated at a central configuration server, which is located remotely from the network device on the network. The central configuration server propagates configuration information to the network server through the network. See *Reichmeyer*, Abstract.

More particularly, *Reichmeyer* teaches that a device is specifically configured and the configuration may be propagated to the device through a network or using a removable storage medium. See *Reichmeyer*, col. 2, line 45, to col. 3, line 54. That is, each device either uses default configuration information that is pre-configured on the device, in which case no configuration is performed at installation (col. 3, lines 13-20), or is configured with all necessary configuration parameters on site or remotely (col. 3, lines 20-29).

In contradistinction, the present invention provides a mechanism for configuration information to be re-used from device to device. Rather than propagating the same default information to all devices of the same type, the present invention allows an administrator or the like to configure a first device using first configuration information, store the first configuration information on a storage device, and then, when configuring a second device, reading the first configuration information from the storage device at a second device. If the first configuration information is found to be present on the storage device when configuring the second device, the present invention prompts the user to select whether to clone the first configuration.

Reichmeyer does not teach or fairly suggest storing configuration information for a first configuration on a storage device and then reading the storage device for the presence of the first configuration information when configuring a second device. Furthermore, *Reichmeyer* does not teach or fairly suggest prompting a user to select whether to clone the first configuration when performing configuration of the second device. Rather, *Reichmeyer* teaches performing configuration on a device-by-device basis and simply propagating appropriate configuration information to a particular device based on receiving identification information for the particular device.

The Office Action points out sections of *Reichmeyer* that teach configuring a target device with configuration information intended for the target device. For example, the Office Action refers to col. 6, lines 24-42, which read as follows:

FIG. 4 is a flow chart illustrating the broad steps of a method 70, according to one exemplary embodiment of the present invention, of remotely configuring a network device, such as for example a router or a switch. The method 70 commences at step 72, and at step 74, a network device identifies or determines identification information concerning itself, and propagates this identification information to the central configuration server 26. At step 76, the central configuration server 26 constructs configuration information, for example in the form of a Domain Configuration File (DCF), which may comprise a file containing configuration parameter information for a specific configuration domain. The configuration information is then propagated from the central configuration server 26 to the target network device associated with the identification information. At step 78, the target network device then constructs a configuration file, utilizing the configuration information received from the server 26, whereafter the method 70 terminates at step 80.

Clearly, this portion of *Reichmeyer* describes the steps of propagating configuration information from a configuration server to an identified network device. As stated above, this portion teaches performing configuration of a network device based on receiving identification information of the device. This portion of *Reichmeyer* does not teach or suggest prompting a user to select whether to clone a previous configuration.

The Office Action also refers to col. 7, line 59, to col. 8, line 17, of *Reichmeyer*, which reads as follows:

Alternatively, an exchange operation could be incorporated within, or on top of, the DHCP protocol to provide a robust exchange as illustrated in FIG. 8. Specifically, in this embodiment of the invention, a networking device firstly executes a DHCP procedure to obtain an IP address for itself, and to obtain an IP address for the central configuration server 26, in the manner described above. Following this exchange, the network device may send a request message 110 to the central configuration server 26 indicating the abilities and model information of the network device. The central configuration server 26 then issues a response message 112 to the network device 61, requesting further information, to which the network device 61 responds with a further request message 114 including the requested data. The central configuration server 26 then integrates this data within configuration information for the network device, and determines whether further information is needed. If the configuration information is determined by the configuration server 26 to be completed, it will then issue a response message 116 to the network device, the response message 116 including a file name for a file, containing configuration information, that the network device may retrieve utilizing a file transfer protocol, such as TP. This method is advantageous in that the central configuration server 26 may issue as many response messages to the network device as are required to collect all required configuration information.

This portion of *Reichmeyer* describes that a device may use Dynamic Host Configuration Protocol (DHCP) to obtain its own Internet Protocol (IP) address and an IP address of the central configuration server to request configuration information for the device. Clearly, the above-described DHCP procedure is an automatic configuration in which a user is not prompted for any information. The device itself and the central configuration server use DHCP to exchange information automatically to identify the specific configuration information for the particular device. Therefore, it follows that this portion of *Reichmeyer* does not teach or fairly suggest prompting a user to select whether to clone a previous configuration.

The applied reference does not teach each and every claim limitation; therefore, *Reichmeyer* does not anticipate claim 1, for example. Independent claims 18 and 33 recite subject matter addressed above with respect to claim 1 and are allowable for

similar reasons. Since claims 2-6, 8, 9, 19-22, 24, 25, and 35-40 depend from claims 1, 18, and 33, the same distinctions between *Reichmeyer* and the invention recited in claim 1, 18, and 33 apply for these claims. Additionally, claims 2-6, 8, 9, 19-22, 24, 25, and 35-40 recite other additional combinations of features not suggested by the reference.

More particularly, with respect to claim 2, the Office Action alleges that *Reichmeyer* teaches configuring a first device includes configuring a host application at col. 4, lines 17-30; col. 6, lines 24-42; col. 7, lines 43-58; Figure 3. The Office Action alleges that configuring a first device, the configuration of which a user is prompted to clone for a second device, by configuring a host application is equivalent to the configuration server of *Reichmeyer*. Applicant respectfully disagrees. The central configuration server of *Reichmeyer* is not configured such that the configuration of the central configuration server may be cloned for a second device. Claims 19 and 35 recite subject matter addressed above with respect to claim 2 and are allowable for similar reasons.

With respect to claim 3, the Office Action alleges that *Reichmeyer* teaches configuring the second device includes configuring a client application to communicate with the host application at col. 3, lines 13-17; col. 4, lines 17-30; col. 7, lines 2-17; Figure 9. Applicant respectfully disagrees. Nowhere does any of these cited portions teach or suggest configuring a client application to communicate with any host application, let alone a host application that was configured in a first configuration where configuration information of the first configuration is found on a storage device and a user is prompted to select whether to clone the first configuration, as recited in claim 3. Claims 20 and 36 recite subject matter addressed above with respect to claim 3 and are allowable for similar reasons.

Furthermore, with respect to claim 5, the Office Action alleges that *Reichmeyer* teaches a method wherein a host application is selected from a list of possible host applications for a client device and where the list of possible host applications is derived from previous configurations at col. 7, lines 17-22; col. 8, lines 33-42; col. 8, lines 24-26. For illustration, these cited portions are reproduced below:

From a level 3 (L3) perspective, a network device may determine its logical connectivity by compiling a list of directly connected subnets. A network device may also

determine from neighboring devices details concerning OSPF areas, subnets masks and time-out values.

Reichmeyer, col. 7, lines 17-22.

In both of the above embodiments, physical configuration information to be included within the identification information propagated from the network device to the central configuration server 26 may include:

1. The model of the network device;
2. A code level for the network device;
3. A list of optional features installed on the network device, such as for example extra memory or additional processors;
4. The number of interfaces available on the network device; and
5. Per port information, such as an interface identifier, a port hardware address, and interface type and speed information.

Logical configuration information to be included within the identification information propagated from the network device to the central configuration server 26 may include the following per port information:

1. An interface identifier;
2. IP subnets learned on the interface or, alternatively, IP addresses for neighbor routers; and
3. Connected networks of other protocols supported by the code level such as, for example IPX networks or AppleTalk zones.

Reichmeyer, col. 8, lines 28-42. None of these cited portions makes any mention of deriving a list of possible host applications from previous configurations. The Office Action simply points to seemingly arbitrary portions of the reference without explaining how the teachings are somehow equivalent to the presently claimed invention. Claims 22 and 38 recite subject matter addressed above with respect to claim 5 and are allowable for similar reasons.

Still further, with respect to claim 8, the Office Action alleges that *Reichmeyer* teaches copying the first configuration information to the second device responsive to the user selecting to clone the first configuration at col. 3, lines 30-54; col. 6, lines 24-42; col. 7, line 59, to col. 8, line 17. As stated above with respect to claim 1, none of these cited portions teaches or suggests prompting a user to select whether to clone a previous configuration. Thus, it follows that *Reichmeyer* does not teach the further limitation of

claim 8 of copying configuration information of a previous configuration for a subsequent configuration. Rather, *Reichmeyer* only teaches configuring devices on a device-by-device basis and does not read a storage device for the presence of a previous configuration and cloning the previous configuration by copying the configuration information on the storage device. Claims 24 and 40 recite subject matter addressed above with respect to claim 8 and are allowable for similar reasons.

Therefore, Applicant respectfully requests withdrawal of the rejection of claims 1-6, 8-9, 18-22, 24-25, 33, and 35-40 under 35 U.S.C. § 102.

Furthermore, *Reichmeyer* does not teach, suggest, or give any incentive to make the needed changes to reach the presently claimed invention. *Reichmeyer* actually teaches away from the presently claimed invention because it teaches configuring devices on a device-by-device basis, as opposed to prompting a user to select whether to clone a previous configuration, as in the presently claimed invention. Absent, the Office Action pointing out some teaching or incentive to implement *Reichmeyer* to prompt a user to select whether to clone a previous configuration present on a storage device, one of ordinary skill in the art would not be led to modify *Reichmeyer* to reach the present invention when the reference is examined as a whole. Absent some teaching, suggestion, or incentive to modify *Reichmeyer* in this manner, the presently claimed invention can be reached only through an improper use of hindsight using Applicant's disclosure as a template to make the necessary changes to reach the claimed invention.

II. 35 U.S.C. § 103, Obviousness

The Office Action rejects claims 1-6, 8-9, 18-22, 24-25, 33, and 35-40 under 35 U.S.C. § 103 as being unpatentable over *Kamper* (U.S. Patent No. 6,654,797) in view of *Hansen* (U.S. Patent No. 5,819,042). This rejection is respectfully traversed.

Applicant submits that *Kamper* and *Hansen* fail to teach or suggest the features alleged in the Office Action. In addition, the *Kamper* patent and the instant application were, at the time of the invention was made, owned by, or subject to an obligation of assignment to the same person. 35 U.S.C. § 103(c) states:

(c) Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where

the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

The instant application was filed on or after November 29, 1999. The *Kamper* patent qualifies as prior art only under 35 U.S.C. § 102(e). And, the instant application and the *Kamper* patent were commonly owned or subject to an obligation of assignment to the same person at the time the invention was made. Therefore, the *Kamper* patent cannot be used in a 35 U.S.C. § 103 rejection to preclude patentability. As such, the rejection is improper and should be withdrawn.

Therefore, Applicant respectfully requests withdrawal of the rejection of claims 1-6, 8-9, 18-22, 24-25, 33, and 35-40 under 35 U.S.C. § 103.

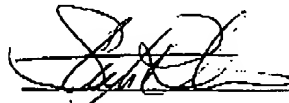
III. Conclusion

It is respectfully urged that the subject application is patentable over the prior art of record and is now in condition for allowance.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: June 15, 2005

Respectfully submitted,



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